

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of C.J.J., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

CYNTHIA DENISE PERRY,

Respondent-Appellant,

and

WILLIE JONES,

Respondent.

UNPUBLISHED

August 20, 2002

No. 236003

Wayne Circuit Court

Family Division

LC No. 90-289849

Before: White, P.J., and Neff and Jansen, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor child under MCL 712A.19b(3)(i) and (j). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E).

The trial court properly assumed jurisdiction over the minor child, and did not violate respondent's procedural right to due process, by basing its assumption of jurisdiction on judicial notice of the facts contained in the court's file relating to termination of respondent's parental rights to the minor child's six siblings. The facts contained in the file constituted legally admissible evidence of respondent's neglect of the six siblings. MRE 201. Neglect or abuse of one child can establish jurisdiction over another child. *In re Powers*, 208 Mich App 582, 588-593; 528 NW2d 799 (1995). Further, respondent failed to challenge the court's assumption of jurisdiction.

The trial court did not clearly err in determining that MCL 712A.19b(3)(i) and (j) were established by clear and convincing evidence and supported termination. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the child's best interests.

MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Thus, the trial court did not err in terminating respondent-appellant's parental rights.

Affirmed.

/s/ Helene N. White

/s/ Janet T. Neff

/s/ Kathleen Jansen